

**Foxborough Planning Board
Meeting Minutes
January 24, 2013
Town Hall**

Members Present: William Grieder, Gordon Greene, Ron Bressé, Shannon McLaughlin

Members Absent: Kevin Weinfeld, Alternate John Rhoads

Also Present: Planner Sharon Wason

7:00 p.m. Review of old/new business

Planner's Report

Accreditation Committee – Sharon Wason requested permission from the Board to serve on an accreditation committee for the University of Virginia Planning program. The committee will meet March 25-27 and she would be back for the March 28th Planning Board meeting.

Motion by William Grieder to approve the request from Ms. Wason to serve on an accreditation committee March 25-27, 2013. Seconded by Shannon McLaughlin. Unanimous Affirmative Vote (4:0)

Town Counsel request – Town Manager Paicos has approved the request for Town Counsel services to request a “relief from stay” of bankruptcy for the Fox Woods subdivision. Progress on this matter will be reported.

Town Report – Annual Report is due February 15th and the report will be presented for Board approval at the February 14th meeting.

Transit Grant Application – S.Wason requested permission to use approximately \$1,500 for an intern to complete the transit work for a possible MassDOT community transit grant application.

Motion by S.McLaughlin to approve the expenditure of \$1,500 for the completion of the transit plan. Seconded by Ron Bressé. Unanimous Affirmative Vote (4:0)

7:10 p.m. Request for release of performance guarantee – 30 Panas Road

Nicholas Panagopoulos was present. W.Grieder explained that the Board wanted to have a conversation with Mr. Panagopoulos because there were changes to the plans that were made without Board approval. He stated that the Board wanted to ensure that any changes to plans going forward must be approved by the Board.

S.Wason stated that engineer William Buckley reports that the detention basin has been cleaned and requested that the pallets around the building be removed. Mr. Panagopoulos responded that the pallets will be removed and understood that site changes to any future projects must be approved by the Board.

Motion by Gordon Greene to release the \$5,000 bond being held for 30 Panas Road. Seconded by S.McLaughlin. Unanimous Affirmative Vote (4:0)

**7:15 p.m. Public Hearing
Special Permit – Accessory Apartment
16 Borrows Road
Kristine McWilliams**

Motion by G.Greene to waive the reading of the hearing notice. Seconded by S.McLaughlin.
Unanimous Affirmative Vote (4:0)

Applicant Kristine McWilliams was present. She stated that they have purchased a house on Borrows Road recently and would like to construct an addition to include an apartment for her mother, Margaret Svenson.

S.Wason read comments received from other Boards and departments:

Deputy Fire Chief Bagley reviewed and approved the plan as submitted.

Health Director Clifford stated that the property is connected to sewer and offered no comments.

Building Commissioner Casbarra stated that the apartment meets the requirements of the by-law and stated that the applicants must comply with the requirements of the Water & Sewer Commissioners.

Water & Sewer Superintendent Worthley wrote that the Water & Sewer Commissioners approved the addition of a bedroom with the conditions that the homeowners install low flow toilets and that that average daily usage not exceed the already permitted 330 gallons per day.

S.Wason asked if the materials for the addition will match the existing home. K.McWilliams responded that they will match the materials as closely as possible.

There were no comments from the public.

Motion by G.Greene to close the public hearing. Seconded by S.McLaughlin. Unanimous Affirmative Vote (4:0)

Motion by G.Greene to approve the Special Permit with the following conditions:

1. This permit is specific to the petitioner. It is not transferable, nor shall it run with the land.
2. Occupancy of the second unit shall be limited to Mrs. McWilliams' mother, Margaret Svenson. This Permit shall expire upon the home being sold or when the petitioner's mother no longer resides in the unit.
3. The kitchen facilities of the accessory apartment shall be removed when the accessory apartment is no longer needed unless the Planning Board determines the facilities (as altered or modified) are incidental and subordinate as an accessory use to a single-family dwelling.
4. The petitioner shall adhere to the conditions set by the Board of Water & Sewer Commissioners requiring the installation of low flow toilets and that the average daily usage not exceed the already permitted 330 gallons per day.
5. This Special Permit shall be recorded at the Registry of Deeds and referenced to the deed of the parcel prior to its taking effect. A copy of the recording information shall be supplied to the Building Commissioner and Planning Office prior to a Building Permit being issued.
6. Any change(s) from this permit or any of its conditions deemed substantive by any Town official shall be submitted for review to the Planning Board. The Board shall determine if there is a need for a public hearing and shall then act accordingly on the change(s).

Seconded by S.McLaughlin. Unanimous Affirmative Vote (4:0)

**7:30 p.m. Continued Public Hearing
Definitive Subdivision
“Lincoln Hill Estates”
Briarwood Construction**

Surveyor Bill Self explained that he met with Water & Sewer Superintendent Worthley and DPW Director Hill to discuss the looping of the water. They consulted with their engineer and forwarded comments from him. The engineer opined that connecting the water line through VanNorden Road is the preferred choice for looping the water line. B.Self stated that the section of the water line in VanNorden is in Mr. Capone’s property and a written consent from Mr. Capone will be obtained giving permission to access his property. After a brief discussion, B.Self stated that he will discuss with the Water Department if an easement is necessary.

B.Self stated that comments from engineer Mullaney were addressed with revisions. Parcel A & B will be separate lot that will ultimately be conveyed to abutters. He stated that the Homeowners’ Association paperwork is being prepared.

B.Self asked the Board about the possibility to begin construction on Form A lots before the roadway is constructed. S.Wason stated that a temporary drive could be installed to access lot 2. B.Self stated that the builder would be aware that occupancy is dependent on the roadway being laid. S.Wason asked that this be discussed with Building Commissioner Casbarra.

Motion by G.Greene to continue the public hearing to February 14, 2013 at 7:30 pm. Seconded by R.Bressé. Unanimous Affirmative Vote (4:0)

**8:00 p.m. Continued Public Hearing
Special Permit
“Crossfit Torque”
129 Washington Street**

S.Wason read a request for continuance submitted by engineer William Buckley on behalf of his client.

Motion by G.Greene to continue the public hearing to February 14, 2013 at 8:00 p.m. Seconded by S.McLaughlin. Unanimous Affirmative Vote (4:0)

8:05 p.m. General Business

Town Meeting Articles

S.Wason stated that the Special Town Meeting has been canceled. She discussed possible articles for the Annual Town Meeting scheduled for May 6, 2013:

Building Commissioner Casbarra would like the setbacks in Open Space Residential Developments be clarified. She used 18 Lawton Lane as an example and discussed the location of the building relating to the side yard requirements.

G.Greene stated that an article should be prepared which would permit mixed use if the Inter Municipal Agreement is approved.

W.Grieder stated that he would like to present a defined downtown area so 12,000 gallons per day are reserved for this district. He added that it would allow new businesses to connect without requiring Town Meeting approval. He stated that consultant Kathy McCabe will prepare a map for Monday's meeting with the Water & Sewer Commissioners and she will consult with engineer Tim Thies to determine if 12,000 gallons per day would be sufficient.

“Highlawn Farm” subdivision

The Board discussed requesting that the developer present a timetable on replacing trees, redesign of the detention basin, installation of sidewalk and stabilization of Congdon Road. The developer will be asked to attend the next Board meeting to discuss plans for the upcoming construction season.

8:45 p.m. Master Plan Update

Consultant Kathy McCabe discussed with the Board her memo dated January 27, 2013 concerning the policies needed regarding wastewater services. The following recommendations were made for local action:

1. Downtown. A set-a-side of wastewater capacity for future Downtown development and use changes should be made to ensure that there is adequate capacity for Downtown Foxborough today and for the next thirty years. Our initial estimates indicate that 10,000 gallons per day is needed for Downtown, to accommodate pent up demand and to provide flexibility as to encouraging new uses and private investment. The residential area and surrounding Comprehensive Wastewater Management Plan area will require additional sewer capacity. For Downtown, policies should be adopted by both the Planning Board and Water & Sewer Board that facilitate new uses and investment at the Downtown priority redevelopment opportunities, namely the Fire Station/Funeral Home site, the infill site on School Street, the Post Office site, and Town Hall that is aligned with the Downtown Strategy. The Downtown Core District should be included in its entirety the “sewer district”.
2. Sustainable Development. The Town should adopt sustainable development policies and bylaws to encourage appropriate new growth and development in the growth nodes and adjacent residential areas. This will enable Foxborough to more efficiently provide municipal services and protect open space.
3. Foxborough Focus. Concentrate on connections and development within the Town of Foxborough.
4. Monitor Use. Monitor the cumulative allocations and actual peak wastewater flow on a semiannual basis. Even with the projected expanded wastewater treatment capacity, sewer capacity is a finite, precious resource representing significant public investment. As such, the distribution, allocation and actual use of wastewater treatment capacity should be carefully monitored and should be utilized in alignment with the Town's land use and economic development priorities.
5. Conserve. Foxborough through its Planning Board, Water & Sewer Board, and Board of Health should continue to aggressively promote water conservation, re-use and recycling, as well as pursuing inflow and infiltration (I and I) reduction. This will help ensure that limited water resources and sewer capacity are used efficiently.

After discussion, the Board agreed with the items outlined in the memo. W.Grieder and G.Greene will be attending the Water & Sewer Commissioners' next meeting to discuss the importance of sewer in the development of a better downtown business district.

9:30 p.m. Meeting adjourned.

Respectfully submitted,
Gabriela Jordan

Approved by: Gordon Greene, Clerk

Date: April 25, 2013